

REMARKS

Initially, Applicants respectfully acknowledge that the Examiner has indicated that claims 3-5 and 9-20, which are objected to, would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claims 3-20 remain pending in the application. Claims 3, 4, 6, 8, 9, 12, 14, 17 and 18 have been amended, and claims 1 and 2 have been canceled.

Reconsideration of the rejections and allowance of the pending application in view of the foregoing amendments and the following remarks are respectfully requested.

In the Official Action of June 25, 2005, claims 1, 2, 6, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over McFadden (US Patent No. 5,373,704) in view of Maisotsenko (US Patent No. 5,453,223), and claim 8 is rejected under 35 U.S.C. 112 as being in insufficient antecedent basis for the limitation “the heat pump”.

Claims 1 and 2 have been canceled without in any way acquiescing in the propriety of the above-noted rejection.

Claims 3, 4 and 9 have been rewritten to incorporate all the limitations of the base claims and any intervening claims, respectively, in compliance with the Examiner’s indication, and claims 6 and 8 have been amended to be dependent from claim 9. Also, claim 8 has been amended to delete “the heat pump” therein.

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Applicants' incorporation of the features in claims 3, 4 and 9 is made without in any way acquiescing to the propriety of any of the rejection made by the Examiner. Rather these amendments are made only to expedite allowance of the present application.

Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based on prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to be attached thereto.

In response to the allowable subject matter indicated in the Official Action, and to the statement of reasons for the indication of allowable subject matter therein, Applicants wish to clarify the record with respect to the basis for the patentability of claims in the present application. In this regard, while Applicants do not disagree with the Examiner's indication that certain identified features are not disclosed by the references, Applicants submit that each of the claims in the present application recite a particular combination of features, and that the basis for patentability of each of these claims is based on the totality of the particular features recited therein.

Independent claims 3, 4 and 9 are now in condition for allowance in view of the amendments and the above-noted remarks. Dependent claims 5-8 and 10-20 are also submitted to be in condition for allowance in view of their dependence from the allowable base claim and also at least based upon their recitations of additional features

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of the present invention. It is respectfully requested, therefore, that the rejections under 35 U.S.C. 103(a) and 112 be withdrawn and that an early indication of the allowance thereof be given.

Based on the above, it is respectfully submitted that this application is now in condition for allowance, and a Notice of Allowance is respectfully requested.

Should the Examiner have any questions or comments regarding this response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Won Hee LEE et al.

Will E. Lybdl Reg. No.
Bruce H. Bernstein 41,568
Reg. No. 29,027

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191